

E-Filed 05/13/2010

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID QUESADA,

No. C 08-02869 RS

Petitioner,

**ORDER LIFTING STAY AND
REOPENING CASE**

v.

MIKE KNOWLES, Acting Warden,

Respondent.

This case was stayed by order of the Court on September 19, 2008, pending the Ninth Circuit's decision in *Hayward v. Marshall*. That case has now been decided. No. 06-55392, 2010 WL 1664977 (9th Cir. Apr. 22, 2010) (en banc). Accordingly, the stay herein is hereby lifted. The Clerk is directed to re-open the file.

IT IS SO ORDERED.

Dated: 05/13/2010



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

No. C 08-02869 RS
ORDER